

AGENDA TITLE:

Adopt Resolution Approving Final Map, Improvement Agreement and

Maintenance Agreement for Wine & Roses Residences, Tract No. 3409

MEETING DATE:

December 1, 2004

PREPARED BY:

Public Works Director

RECOMMENDED ACTION:

That the City Council adopt a resolution approving the final map, improvement agreement and maintenance agreement for Wine & Roses Residences, Tract No. 3409, and direct the

City Manager and City Clerk to execute the improvement

agreement, maintenance agreement and map on behalf of the City.

BACKGROUND INFORMATION:

The subdivision is located north of Turner Road on the west side of Woodhaven Lane, as shown on Exhibit A. The development consists of 16 lots (3.85 acres) containing 31 medium-density residential units and Parcel "A" (0.91 acres) to be used for future expansion of the Wine & Roses Country Inn.

The developer, Wine & Roses Country Inn, LLC, is required, as a condition of approval of the tentative subdivision map, to provide for on-going maintenance and replacement of the reverse frontage wall, landscaping and irrigation improvements along the subdivision frontage on Woodhaven Lane and a prorated share of public park land by either annexation to the Lodi Consolidated Landscape and Maintenance District 2003-1 or the formation of a Homeowner's Association. The developer has chosen the Homeowner's Association option. As provided in Resolution No. 2003-250 approved by Council on December 17, 2003, the developer has executed a maintenance agreement agreeing to establish a Homeowner's Association that will assess and collect fees from homeowners for future maintenance and replacement costs, including a prorated share of public park land, which shall be payable to the City on an annual basis. The agreement will run with the land and be binding on the developer, its heirs, successors or assigns. The agreement shall be recorded prior to or concurrently with the final map.

The developer has furnished the City with the improvement plans, water rights agreement, maintenance agreement, guarantees, insurance certificates, and a portion of the fees for the proposed subdivision. The Development Impact Mitigation Fees (\$385,912.38) will be paid prior to Council acceptance of the public improvements. Payment has been guaranteed as part of the faithful performance improvement security for the project in conformance with LMC §15.64.040.

FUNDING:

Not applicable.

Richard C. Prima, Jr. Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer RCP/SAW/pmf
Attachment

CC:

Senior Civil Engineer Fujitani Wine & Roses Country Inn, LLC Senior Civil Engineer Welch Baumbach & Piazza

APPROVED:

Janet S. Keeter, Interim City Manager

RESOLUTION NO. 2004-262

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE FINAL MAP, IMPROVEMENT AGREEMENT, AND MAINTENANCE AGREEMENT FOR WINE & ROSES RESIDENCES, TRACT NO. 3409, AND FURTHER AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENTS AND FINAL MAP ON BEHALF OF THE CITY OF LODI

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Final Map, Improvement Agreement, and Maintenance Agreement for Wine & Roses Residences, Tract No. 3409, located north of Turner Road on the west side of Woodhaven Lane, as shown on Exhibit A attached; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager and City Clerk to execute the Improvement Agreement, Maintenance Agreement, and Final Map on behalf of the City of Lodi.

Dated: December 1, 2004

I hereby certify that Resolution No. 2004-262 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 1, 2004, by the following vote:

AYES:

COUNCIL MEMBERS - Beckman, Hitchcock, Howard, Land, and

Mayor Hansen

NOES:

COUNCIL MEMBERS - None

ABSENT:

COUNCIL MEMBERS - None

ABSTAIN:

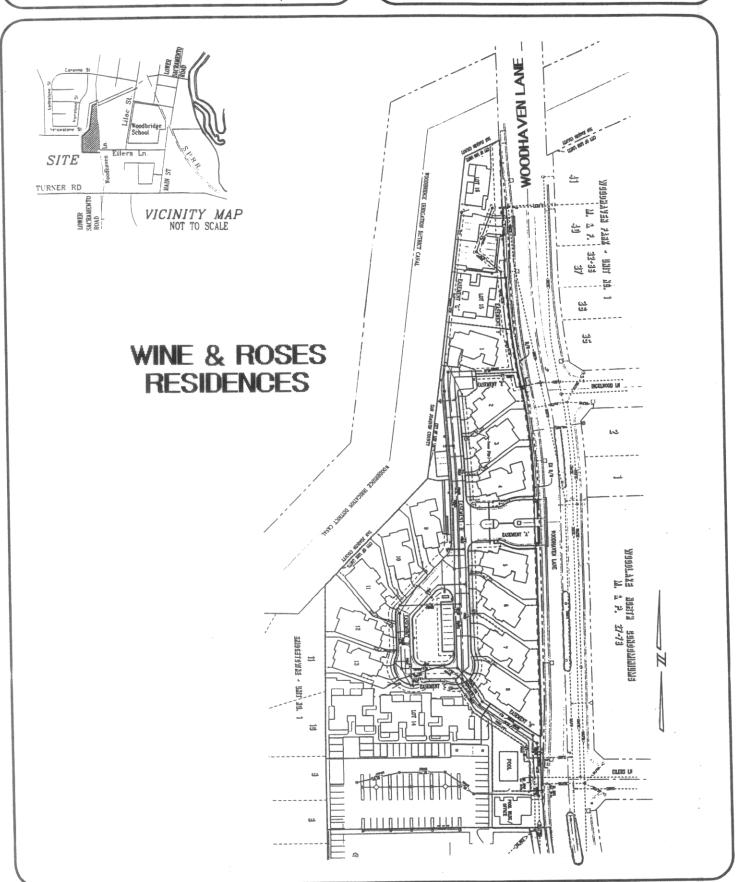
COUNCIL MEMBERS - None

SUSAN J. BLACKSTON

City Clerk



EXHIBIT A



CITY COUNCIL

LARRY D. HANSEN, Mayor JOHN BECKMAN Mayor Pro Tempore SUSAN HITCHCOCK EMILY HOWARD KEITH LAND

CITY OF LODI

PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
http:\\www.lodi.gov

November 23, 2004

JANET S. KEETER
Interim City Manager

SUSAN J. BLACKSTON City Clerk

D. STEVEN SCHWABAUER
City Attorney

RICHARD C. PRIMA, JR.
Public Works Director

Wine & Roses Country Inn, LLC c/o Mr. Russell Munson 2505 W. Turner Road Lodi, CA 95242

Baumbach & Piazza 323 W. Elm Street Lodi, CA 95240

SUBJECT: Adopt Resolution Approving Final Map, Improvement Agreement and

Maintenance Agreement for Wine & Roses Residences, Tract No. 3409

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, December 1, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, extension 2659.

for:

Richard C. Prima, Jr. Public Works Director

RCP/pmf Enclosure cc: City Clerk